

**IN THE CLAIMS**

Please amend the claims as follows:

1. (Currently Amended) An access device comprising:  
means for communicating an impulse purchase selection to a service provider using an out of band frequency which is different than content providing frequencies;

means for receiving an authorization key transmitted by the service provider in response to the impulse purchase selection;

means for receiving a program associated with the impulse purchase selection; ~~and~~

means for processing the received program using the authorization key; and

means for generating a billing record in response to the receipt of the authorization key, wherein the access device transmits the billing record to the service provider.

2. (Currently Amended) An access device comprising:

means for indicating a desired impulse purchase selection using an out of band frequency which is different than content providing frequencies;

means for communicating the desired impulse purchase selection to a service provider;

means for receiving an authorization key transmitted to the access device, and specific to, the desired impulse purchase selection;

means for receiving the transmission of a desired program associated with the impulse purchase selection;

means for processing the received program using the authorization key; and

means for generating a billing record in response to the receipt of the authorization key,  
wherein the access device transmits the billing record to the service provider.

3. Cancelled.

4. (Original) The access device in claim 2, wherein the means for receiving the authorization key receives the authorization key via an out of band frequency.

5. (Original) The access device in claim 2, wherein the means for communicating the desired impulse purchase utilizes a two way communications interface.

6. (Currently Amended) The access device in claim 5, ~~further comprising means for generating a billing record in response to the receipt of the authorization key,~~ wherein the billing record transmitted to the service provider is transmitted via the two way communications interface.

7. (Currently Amended) An access device comprising:  
a tuning and a communications unit for transmitting an impulse purchase message using an out of band frequency which is different than content providing frequencies and, receiving an authorization key transmitted in response to the transmission of the impulse purchase message and associated with the impulse purchase program;

a controller and decoder unit responsive to the authorization key that formats a digital program into a video display; and

a billing generator which generates a billing record in response to the receipt of the authorization key, wherein the access device transmits the billing record to the same location as the impulse purchase message.

8. (Currently Amended) A method of providing a secure means for purchasing an impulse purchase program comprising the steps of:

communicating a message using an out of band frequency which is different than content providing frequencies to a service provider means that indicates an impulse purchase selection;

receiving, at a receiver, authorization information transmitted in response to the communicated message, and specific to the impulse purchase program;

receiving, at a receiver, the impulse purchase program;

processing the impulse purchase program in response to the authorization information; and

generating a billing record at the receiver in response to the receipt of the authorization key and transmitting the billing record from the receiver to the service provider.

9. Cancelled.

10. (Original) The method of claim 8, wherein the receiving step comprises receiving the authorization via an out of band frequency.

11. (Original) The method of claim 8, wherein the communicating step comprises communicating the message via a two way communications interface.

12. (Currently Amended) The method of claim 8, ~~further comprising wherein the step of~~ generating a billing record and transmitting the billing record is transmitted to the service provider via the two way communications interface.

13. (Currently Amended) A method of providing a secure means for purchasing an impulse purchase program comprising the steps of:

selecting the desired impulse purchase program;

communicating the desired impulse purchase program selection from an access device to a service provider using an out of band frequency which is different than content providing frequencies;

responding to the communicated impulse purchase program selection by transmitting an authorization code to the access device uniquely associated with the desired impulse purchase program;

storing the authorization code associated with the desired impulse purchase program into a security module in the access device;

transmitting to the access device an impulse purchase program having an entitlement code associated with authorization code stored in the security module;

decoding the entitlement code;

comparing the entitlement code to the code stored in the security module to permit viewing of the impulse purchase program; and

generating a billing record at the access device in response to the receipt of the authorization key and transmitting the billing record from the access device to the service provider.

### **REMARKS**

This application has been reviewed in light of the Final Office Action dated December 9, 2008. Claims 1, 2, 4-8, and 10-13 are currently pending and stand rejected. By the present amendment, claims 1, 2, 6-8, and 12-13 have been amended. All subject matter of the amended independent claims has been previously presented as part of claims 6 and 12.